



# Howard County Department of Planning and Zoning

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## TECHNICAL STAFF REPORT

### **Merriweather Post Pavilion and Merriweather Park at Symphony Woods**

Downtown Columbia – Merriweather-Symphony Woods Neighborhood

**Planning Board Meeting of December 17, 2015**

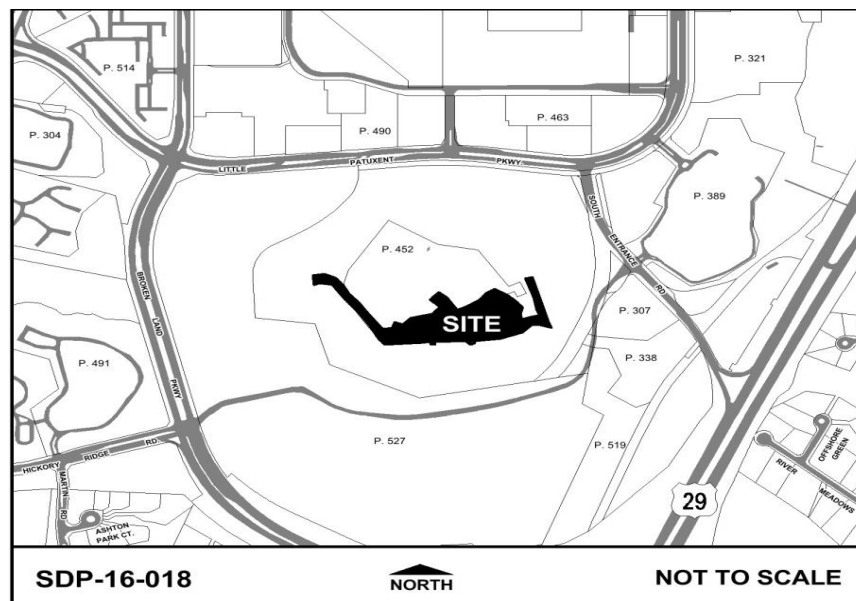
Derrick Jones, Planning Specialist II  
Jill Manion-Farrar, Planning Supervisor

**Case No. /Petitioner and Owner: SDP-16-018, Merriweather Post Business Trust and Inner Arbor Trust, Inc.**

**Project Name:** Merriweather-Symphony Woods Neighborhood, Lot 13, Merriweather Post Pavilion Renovation Phases 2 and 3, and Merriweather Park at Symphony Woods Lot 23.

**Request:** For Planning Board to approve SDP-16-018, a Site Development Plan for Downtown Revitalization, Merriweather Post Pavilion Renovation Phases 2 and 3, and Merriweather Park at Symphony Woods in accordance with Section 125.0.G of the Zoning Regulations. It includes the proposed Phase 2 and 3 renovations at the Merriweather Post Pavilion in accordance with CEPPAs 20 and 21. In addition, improvements to the east side of Merriweather Park at Symphony Woods (primarily for the activity proposed in the eastern area of the Pavilion site) are also proposed. In accordance with Section 125.0.G. of the Howard County Zoning Regulations, the Planning Board shall evaluate and approve, approve with conditions, or disapprove the Site Development Plan at a Public Meeting.

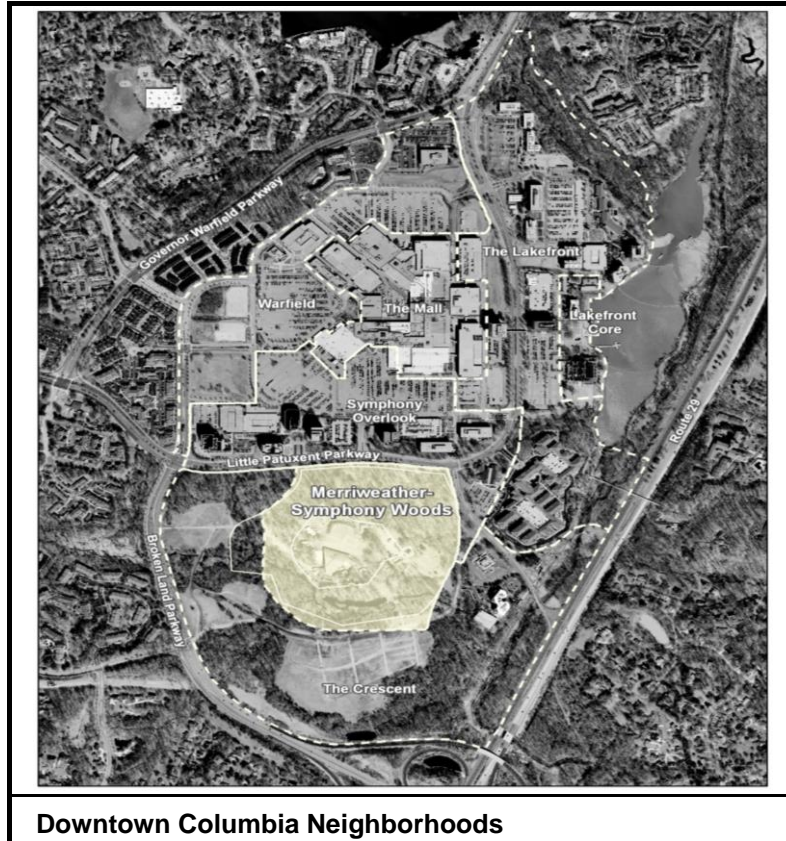
**Recommendation:** The Department of Planning and Zoning recommends approval of SDP-16-018, “Downtown Columbia, Merriweather Post Pavilion and Merriweather Park at Symphony Woods Phase 2 and 3”. Approval is subject to adding a note on the plan that all noise mitigation suggested in the acoustical noise study report be incorporated into the site and building plans, or that the acoustical engineer can certify that noise will stay within the legal limits in an updated study. Additionally, all remaining technical comments provided by the Subdivision Review Committee in the Department of Planning and Zoning’s letter dated December 3, 2015 must be addressed.



Vicinity Map  
(limit of plan submission is highlighted)

**Location:**

The impacted site area encompasses 4.7 acres within a portion of Lot 13 of Columbia Town Center (F-99-18), designated as Downtown Arts and Entertainment Park, and a portion of Open Space Lot 1 of the Merriweather-Symphony Woods neighborhood (F-15-106), designated as Downtown Parkland in the Downtown Columbia Plan. The Merriweather-Symphony Woods neighborhood is located on the south side of Little Patuxent Parkway between South Entrance Road and Broken Land Parkway. The property is identified as Tax Map 36, Grid 1, Parcel 452, Lots 13 and 23. The overall Merriweather-Symphony Woods neighborhood is bounded on the west, south and east side by the Crescent Neighborhood.



**Neighborhood:** The Merriweather-Symphony Woods Neighborhood is described in the Downtown Columbia Plan as a cultural park that will serve as a setting for arts, cultural, and civic uses. It is further described in the Downtown-Wide Design Guidelines as an attractive setting for passive recreation and community events. It encompasses most of Symphony Woods (excluding land isolated by a future road in the Crescent Neighborhood), and the Merriweather Post Pavilion. The neighborhood will be delineated by a future road in the Crescent Neighborhood per the Downtown Columbia Plan.

**Vicinal Properties:**

**North:** The properties are bounded to the north by the Little Patuxent Parkway. On the opposite side of the Little Patuxent Parkway are several office buildings and parking garages, with the Mall in Columbia just north of the offices.

**South:** The south side of the site is bounded by additional Downtown Parkland and the land within Crescent Neighborhood Area 3 which is currently used for open field parking for Merriweather Post Pavilion, but is slated for future mixed-use development.

**East:** South Entrance Road and Symphony Woods Road bound the project area to the east. Opposite these roads are the Central Branch Library, Toby's Dinner Theatre, and an apartment building.

**West:** There is unimproved land to the west of the site designated as Downtown Mixed Use Area; recorded in FDP-DC-Crescent-1 as a portion of the Downtown Columbia Crescent Neighborhood (Areas 1 and 2 and additional open space). Crescent Area 1 and 2 currently include some existing field parking for Merriweather Post Pavilion and are subject to current and future mixed-use development. Broken Land Parkway is on the opposite side of this unimproved land.

## **I. General Comments**

### **A. Relevant Site History**

- Lot 13 currently functions as an outdoor entertainment venue known as Merriweather Post Pavilion and is owned by *Merriweather Post Business Trust*. Lot 13 was originally created by a resubdivision of Lots 10 and 11-B through a plat recorded as Columbia Town Center, Section 1, Lots 12 and 13 (F-79-149). Open Space Lot 1 currently known as Lot 23 is being resubdivided as part of F-15-106 and is currently in review. Lot 23 operates as Symphony Woods, which is owned by Columbia Association and is part of an easement agreement for future improvements and operation with Inner Arbor Trust (see SDP-14-073 below).
- SDP-89-222 is the most recently approved site development plan (prior to this plan) for the Merriweather Post Pavilion property (Lot 13). Plan revisions for this SDP were approved by the Howard County Planning Board on January 22, 2015, which feature as-built conditions and improvements proposed for Phase 1 Renovations of the Merriweather Post Pavilion property, as required by CEPPA 16 of the Downtown Columbia Plan. Those renovations included construction of two concession buildings, a restroom building, a box office building and a building for storage and a retail building (for merchandise sales) and other pertinent site improvements. These included paved pathways, walkways, a deck, stormwater management improvements, and a service driveway. In addition, a plan revision to SDP-89-222 to replace the pavilion's stage house and add an equipment room, and to update the maximum height of the stage house, was approved on October 2, 2015.
- FDP-DC-MSW-1, a new Final Development Plan for Downtown Revitalization with several improvements to the park property, was recorded into the Land Records of Howard County on October 26, 2012, as Plat #22123-22127. The proposed improvements for the creation of a setting for regular passive recreation and continue to support cultural community events include a Shared Use Amphitheater, Play Activity Area, Shared Use Pavilion, Shared Use Café, Woodland Garden, pathways, and parking. As part of the approved Final Development Plan approval, the Merriweather-Symphony Woods Neighborhood Design Guidelines were also approved and recorded into the Land Records of Howard County as Liber 14407, Folio 233-341.
- SDP-14-073 is a seven phase redevelopment plan for Symphony Woods. It includes improvements for the northern portion of the property including an amphitheater, concession, restroom and multiuse building, playground, pathways and other associated improvements which received signature approval on September 8, 2015. Phase 1, which includes construction of the Chrysalis Amphitheater and associated paths, is currently under construction. Phases 3-7 will require additional Planning Board approval.
- FDP-DC-MSW-1-A, an amendment to FDP-DC-MSW-1 for Downtown Revitalization, was approved by the Planning Board on September 3, 2015, and is soon to be recorded in the Howard County Land Records. Its purpose was to include the Merriweather Post Pavilion property to the FDP limits, expand the FDP project area for Symphony Woods, and to make changes to the Neighborhood Design Guidelines. These would increase the allowable building height for the pavilion and stage house to 85 feet and change setbacks between buildings. This FDP amendment also further refined the mitigation of parking spaces located on Downtown Parkland.
- An Environmental Concept Plan (ECP-16-020) based on current design and proposed improvements was approved on November 16, 2015.
- F-15-106, a resubdivision of the land within the Crescent Neighborhood Phase 1 boundary and of the Symphony Woods property (Lot 23) due to the impacts of the future Crescent Neighborhood road known as Merriweather Drive, which will encroach upon and bisect a portion of Lot 23. Also included in this Final Plan is the reconstruction of a handicap parking lot that serves Merriweather Post Pavilion and will be displaced by the road construction. Open Space land within this subdivision will also be conveyed to Columbia Association to mitigate Downtown Parkland which became non-credited due to parking lot development. F-15-106 is currently under review by the Department of Planning and Zoning.

### **B. Posting:**

Per Section 125.0.G.1 of the Howard County Zoning Regulations, the property must be posted a minimum of two weeks prior to the public meeting. The subject property was properly posted with three official Planning Board meeting notices. These signs were posted beginning on December 2, 2015. In addition, electronic notifications regarding the public meeting were sent to each Columbia Village Board, the Columbia Association, Howard County Council members, and pre-submission meeting attendees who provided email addresses.

**C. Regulatory Compliance:**

Site Development Plans for Downtown Revitalization are subject to the following items:

- (1) The approved Final Development Plan for Downtown Revitalization approved for the project area.
- (2) The Neighborhood Design Guidelines and Neighborhood Concept Plan approved for the project area.
- (3) The Downtown Columbia Plan, Council Bill No. 58-2009, which approved an amendment to the Howard County General Plan.
- (4) The Zoning Regulations, including sections enacted as part of an amendment to the Zoning Regulations as Council Bill No. 59-2009 (ZRA 113).
- (5) Downtown-Wide Design Guidelines passed as Council Resolution 138-2010.
- (6) The Adequate Public Facilities Act amended for Downtown Columbia as Council Bill 47-2010.
- (7) The Howard County Design Manual, Volume 3, Chapter 4 amended for Downtown Columbia as Council Resolution 97-2010.
- (8) The Sign Ordinance amended for Downtown Columbia as Council Bill 56-2010.

*In addition, the petitioner met the following pre-submission requirements:*

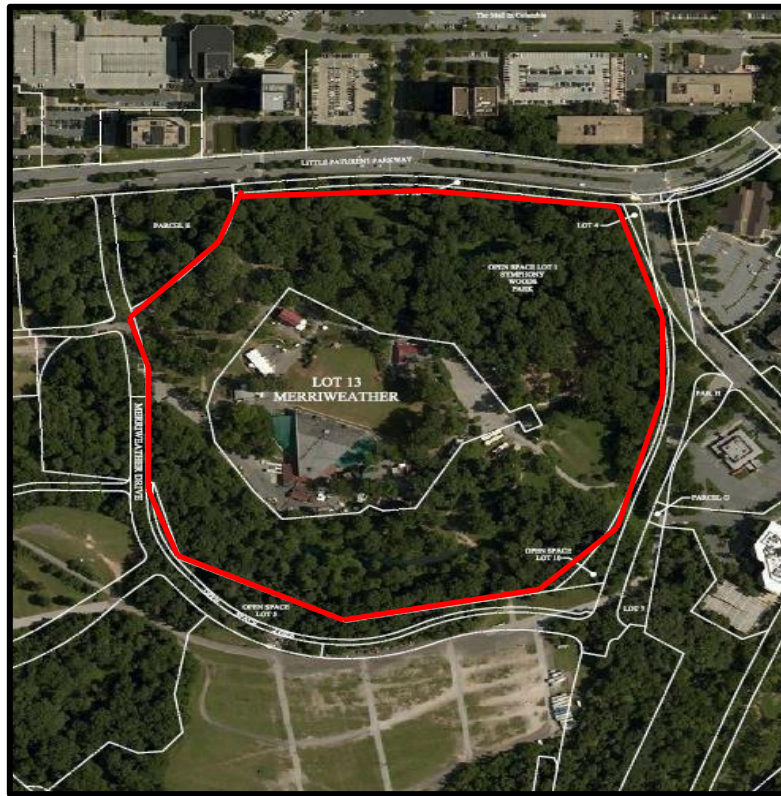
- (9) A Pre-submission Community Meeting was held on September 8, 2015, in accordance with Section 125.0.H.1.a of the Zoning Regulations and Section 16.128(b) thru (f) of the Subdivision and Land Development Regulations.
- (10) The Design Advisory Panel (DAP) reviewed the Site Development Plan on September 9, 2015, in accordance with Section 125.0.H.1.b. of the Zoning Regulations and Title 16, Subtitle 15 of the County Code. The Design Advisory Panel based its review and recommendations on the Merriweather-Symphony Woods Neighborhood Design Guidelines (Liber 14407, Folio 233). Please see the attached **Exhibit C** for those recommendations.

**D. Determining Conformance:** Evaluation of the Site Development Plan is to be based on conformance with the New Town (NT) Zoning Regulations, the Downtown Columbia Plan, and the Downtown-Wide Design Guidelines. Conformance is specifically interpreted in Section 125.0.A.2.b of the Zoning Regulations:

*“When a provision in this section requires that an action “will conform”, “conform with”, “conforms with” or “conforms to”, the Downtown Columbia Plan or any part of the plan, the action being taken shall further, and not be contrary to, the following items in the Downtown Columbia Plan:*

- (1) *Policies;*
- (2) *Timing and implementation of the plan;*
- (3) *Timing of development;*
- (4) *Development patterns;*
- (5) *Land uses; and*
- (6) *Densities and intensities.”*





Aerial of Merriweather-Symphony Woods Neighborhood

## II. Description of the Site Development Plan Proposal:

**Site Improvements:** The proposed plan represents Phase 2 and 3 renovations of the Merriweather Post Pavilion redevelopment. At this time, complete approval is requested for Phase 2 and 3, which primarily includes the redevelopment of the east side of the Merriweather Post Pavilion property, a narrow area on the west side of the Pavilion for infrastructure improvements and a portion of the Merriweather Park at Symphony Woods property (immediately adjacent to the proposed Pavilion improvements). A total of 4.7 acres of land disturbance are proposed for this redevelopment. The scope of work includes the demolition of 15,330 square feet of concession, retail, office, restroom, box office, storage, and stage support facilities; to be replaced with six new facilities that provide those same uses/services. The new facilities shall consist of six buildings occupying a total of 52,372 square feet of floor space, with the following uses and floor space proposed:

### Building A

Stage Support: 21,157 S.F.  
Outdoor Lounge: 3,442 S.F.  
Total: 24,599 S.F.

### Building C

Restrooms: 1,710 S.F.  
Box Office: 710 S.F.  
Mechanical: 256 S.F.  
Total: 2,676 S.F.

### Building E

Concessions: 1,763 S.F.  
Elevator: 110 S.F.  
Total: 1,873 S.F.

### Building B

Storage: 9,677 S.F.  
Restrooms: 789 S.F.  
Office: 8,444 S.F.  
Concessions: 1,908 S.F.  
Total: 20,818 S.F.

### Building D

Merchandise: 688 S.F.

### Building F (Lot 23)

Restrooms: 1,718 S.F.

Additional site improvements include the construction of a private service roadway (at the rear of the pavilion connecting from the future Merriweather Drive (in the Crescent Neighborhood) to the existing service roadway on the eastern side of Merriweather. The two existing loge roofs are to be replaced on both sides of the main pavilion structure. Also, public water and sewer line extensions are proposed, along with landscaping improvements and pathways and an open-air paved 'plaza' for patrons to gather and socialize. The improvements proposed on Lot 23 include Building F, a fire lane, pathways, and parking.

**Pedestrian and Bicycle Pathways:** Pathways are proposed as part of the SDP's *paving delineation plan* and it shows a pedestrian connection to the future Crescent Neighborhood, as well as with Merriweather Park. The updated pedestrian circulation allows adequate ADA accessibility and the pathways meet the parameters for the Merriweather-Symphony Woods Neighborhood Design Guidelines. The pathways are designed mostly for pedestrian use, but bicycle accessible pathways (at least 10' in wide) are also provided, with bicycle racks available. Pathways have been designed to respond to the existing topography and vegetation, often working around trees and incorporating them into the pathway landscape design, as required per a condition of approval of FDP-DC-MSW-1A.

**Environmental Features:** The site is mostly improved with no environmental features on the majority of the site. A portion of a stream buffer and floodplain are located at the southwest corner of the site. They will be encroached upon to add a fire lane behind the pavilion, which is considered 'essential disturbance'. No buildings are to be located within any buffer or floodplain. While not a forest, a tree inventory has been conducted and the removal of trees will be mitigated at the rate of 2:1, with new trees planted within the neighborhood.

**Stormwater Management:** The stormwater management practices for Phase 2 and 3 will be provided in accordance with Chapter 5 of the Maryland Department of the Environment (MDE) Stormwater Design Manual. This site qualifies for and utilizes the *redevelopment methodology* under the MDE criteria. In order to fulfill stormwater management requirements permeable pavements (A-2) will be used. Stormwater for the remainder of the site will be treated using Environmental Site Design, such as pervious pavement/surfaces or micro-bioretenion facilities.

**Traffic:** The proposed renovations do not increase the capacity of the facility and therefore do not require traffic mitigation.

**Building Coverage:** There are no maximum building coverage requirements.

**Building Height:** Per FDP-DC-MSW-1A and the Downtown Columbia Plan, the maximum building height is 4 stories and not greater than 60'; except for the Pavilion and Stage House roofs, which may be 85 feet. Proposed Building A is the tallest structure with an average height of 34 feet. The remaining buildings will be less than 30 feet in height.

**Forest Conservation:** The property is exempt from the requirements of Section 16.1200 of the Howard County Code for Forest Conservation because the property is zoned NT and had preliminary plan approval prior to 12/31/92 per Section 16.1202(b)(1)(iv).

**Setback Requirements/Building Orientation:** Setback requirements do not apply to this site and the Merriweather-Symphony Woods Neighborhood Design Guidelines have no building setback recommendations. The architectural guidelines focus instead on locating buildings to complement the Pavilion and the shared uses between the adjacent Merriweather Park and to site buildings where they better respond to their natural settings, such as topography, streams, and trees. In achieving this goal, the six proposed buildings are orientated to provide patrons with the maximum benefit of shared uses between the Pavilion and the Park. Patrons will have the benefit of enjoying events at the Pavilion, the convenience of food, restrooms, and retail services, all within close proximity of each other and while maintaining sight views of the natural setting provided by the Park.

**Landscaping:** The Landscape Plan for this project complies with the New Town alternative compliance provision of the Howard County Landscape Manual and Section 16.124 of the Howard County Code and has been certified by a Registered Landscape Architect to meet the intent of the landscaping and hardscape design parameters within the Merriweather-Symphony Woods Neighborhood Design Guidelines. A total of 29 existing trees are proposed for removal within the limits of land disturbance of the Merriweather project. They are to be replaced at a rate of 2:1 (two trees shall replace every one tree that's removed), in accordance with the Merriweather-Symphony Woods Neighborhood Design Guidelines. A total of 58 new trees (see the *Site Tree Preservation and Planting Plan*, sheet 17 of the SDP, for tree removal, preservation and plantings). In addition, a total of 10 trees are proposed for removal from the designated parking lot area of Open Space Lot 1 of the Crescent

Neighborhood. These trees will also be replaced at a rate of 2:1. Replacement of the parking lot trees will be provided with F-15-106.

**Parking:** Per the Downtown Columbia Parking Evaluation dated April 2015 and conducted by Desman Associates, Merriweather Post Pavilion requires a minimum 6,270 parking spaces (which would require 73 handicap parking spaces per ADA requirements) to meet peak parking demand. These spaces must be provided within Downtown Columbia for the exclusive use of the Merriweather Post Pavilion and must be available on performance dates/times through an executed parking agreement.

*Parking Provided:* 5,000 spaces to meet the 85<sup>th</sup> percentile of demand, as identified in the Desman study, will be provided on property owned by Howard Hughes Corporation, or any affiliate. The parking spaces are to be identified in and incorporated within a Permanent Parking Solution.

The Owner of Merriweather Post Pavilion, in conjunction with the Merriweather Post Pavilion Operator, must identify spaces that are available for the exclusive use by Merriweather Post Pavilion and that are available on performance dates/times through an executed parking agreement. The peak demand is 6,270 spaces, plus any additional overflow spaces required for larger festivals.

The location of handicap spaces must be included in the Permanent Parking Solution and must be part of any executed agreements providing sufficient peak or additional overflow parking. Eighty spaces are identified on Sheets 20-22 of the SDP. Overflow parking in excess of 6,270 spaces will require more than 80 handicap spaces and will be evaluated based on the ultimate number of parking spaces provided.

The County acknowledges that a parking plan will remain fluid on a year to year basis until construction within the Crescent Neighborhood is complete and a long-term parking program is devised for both Merriweather Park at Symphony Woods and the Merriweather Post Pavilion. Parking needs and locations will be further evaluated with the review of future site development plans for the Crescent Neighborhood and the County will seek an annual interim parking update for Merriweather Post Pavilion.

A portion of handicap spaces that exist for the venue will be reconstructed adjacent to their current location, in cooperation with the Columbia Association and the Inner Arbor Trust, due to the construction of Merriweather Drive in the Crescent Neighborhood. These 33 spaces will be constructed with the F-15-106 road plans, but are shown on this SDP for review and approval by the Planning Board. The spaces received approval by the Inner Arbor Trust Board since they will be located on the Symphony Woods property. Any displaced Downtown Parkland has been accounted for in the Parkland Replacement Plan.

Please note these 33 spaces only fulfill a portion of the ADA parking obligation for the venue. Additional handicap spaces will be provided at other locations on and off-site but accessing the venue either via ADA acceptable routes, or with shuttle service will be provided to maintain adequate ADA accessibility. The location of these off-site spaces and ADA routes are provided with this SDP. A minimum of 80 handicap spaces are proposed for the venue with this ADA parking plan.

**Public Transit:** Existing opportunities for local public transportation (bus) connections are available at the Mall in Columbia (a regional transportation hub) and at an existing bus shelter facility on Little Patuxent Parkway, at the southeast corner of Entrance Road next to the Central Library. Future public transit opportunities (bus stops) shall come to fruition as the Crescent Neighborhood develops.

**Water/Sewer Infrastructure Improvements:** Water and sewer service will be provided through a Department of Public Works contract (contract no. 24-4949-D). The plans for public water and sewer service were approved on November 23, 2015.

**Noise:** An Acoustical Noise Study for Merriweather Post Pavilion dated October 26, 2015, (Exhibit B) indicates the increased pavilion height will result in higher noise levels without mitigation, but the study does not indicate if the architectural changes result in exceeding regulatory noise levels (with or without mitigation). Since it is recognized that there have been noise levels exceeding regulatory standards in the past with the existing configuration, and that noise levels vary by performance, the Department of Health and the Department of Planning and Zoning recommend that the mitigation techniques recommended in the study be implemented. The Department of Planning and Zoning recommends as a condition of approval that all mitigation measures recommended in the study be implemented and that the Merriweather Post Pavilion Operator work with the Department of Health to consider additional mitigation over the next 5 operating seasons. A note must be placed on Sheet 1 of the SDP requiring the mitigation suggested in the report dated October 26, 2015.

III. **Planning Board Criteria:** In accordance with Section 125.0.H.3. of the Howard County Zoning Regulations, the Planning Board is to evaluate and approve, approve with conditions, or deny a Site Development Plan that proposes Downtown Revitalization based on whether the petition satisfies the following criteria:

**A. The development conforms with the adopted Downtown Columbia Plan.**

The Downtown Columbia Plan recognizes the importance of Merriweather Post Pavilion as a major community asset and as a facility that shall become a “state-of-the-art entertainment facility that should more effectively compete in attracting the most popular performers, better provide a suitable venue for a greater variety of artists in order to expand artistic and cultural offerings and serve as a catalyst for other new performance venues in Downtown Columbia” (pg. 26). In conjunction, the Downtown Plan’s vision for the Merriweather-Symphony Woods Neighborhood includes a natural landscape setting for the arts and includes compatible commercial uses, a new system of paths and connections to Downtown, and environmental restoration through stream stabilization, invasive plant removal, and new plantings (pg. 13).

SDP-16-018 conforms to these goals for Merriweather-Symphony Woods Neighborhood as outlined in the Downtown Columbia Plan. All proposed buildings and related improvements are based on a cultural or artistic use and have a shared-use component, with the intent to create a destination for residents and visitors to enjoy live performances and cultural offerings. The design and location of the elements of the plan conform to the natural topography and location of vegetation to limit grading activities or vegetative clearing. The planting plan does provide a replacement value of 2:1 - for every one tree removed, two trees shall be replaced. In sum, the SDP is in conformance with the Downtown Columbia Plan.

**B. The development implements and conforms to the approved Final Development Plan or Final Development Plan Amendment including all applicable Final Development Plan approval criteria and conditions.**

The proposed site development plan conforms to the approved amended Final Development Plan (FDP-DC-MSW-1A) including all applicable Final Development Plan approval criteria and conditions. The uses proposed on the site development plan are generally consistent with the uses proposed on the Final Development Plan. The land uses proposed are within the parameters of uses of the FDP, and all pathway connections, building heights, and site improvements are permitted and in conformance with the FDP.

Per the Decision and Order signed September 6, 2012, the Planning Board approved FDP-DC-MSW-1A with nine (9) conditions of approval. Most conditions were specific revisions to be completed on the amended FDP. However, the following are relevant for review with subsequent SDPs:

- Condition of Approval #8: On Sheet 3, revise Note #10 to read: “The final determination of NT credited open space and Downtown Parkland to be replaced will be shown on the applicable Site Development Plan or Final Plan”.
- Condition of Approval #9: A noise study shall be prepared and submitted with any Site Development Plan for future renovations or expansions of Merriweather Post Pavilion, and a noise mitigation plan shall be required if the study indicates the applicable noise standard will be exceeded. The mitigation plan, if required, must address any Department of Health recommendations.”

The SDP identifies any Downtown Parkland land to become non-credited and to be replaced, as required by Condition of Approval #8. This land will be replaced with F-15-106.

Regarding Condition of Approval #9, it has been determined by DPZ that the mitigation techniques recommended in the noise study should be incorporated into a mitigation plan to be implemented as part of the Site Development Plan approval unless the study can be updated to concretely show noise levels identified in the model do not exceed any regulatory limits. This is being provided as a condition of approval for this SDP.

**C. The development is well-organized in terms of location of buildings and structures, downtown community commons, landscaping, pedestrian and vehicular circulation systems and other Downtown Revitalization features.**



The placement of proposed buildings considers the context of both the natural topography and existing large trees. In addition, buildings and elements are located at key areas of the site to interrelate to Merriweather Post Pavilion and the greater Downtown area. The adjacent pathway network (Merriweather Park) provides opportunities for a leisurely stroll and to access destinations from several directions. Pedestrian and emergency vehicular circulation systems have been incorporated to provide connectivity to the surrounding area as well as increased emergency vehicle access. There are no Downtown Community Commons required as this project is located on Downtown Arts and Entertainment Park and Downtown Parkland.

- D. If the development provides Downtown Community Commons and/or Downtown Parkland, they are reasonable and appropriate given the location, scale and anticipated intensity of adjacent uses in accordance with the Downtown Columbia Plan.**

The property consists of Downtown Parkland and Downtown Arts and Entertainment Park. The Merriweather-Symphony Woods Neighborhood does not have any requirements for Community Commons.

- E. The maximum permitted building heights will conform to the Final Development Plan.**

Per the Downtown Columbia Plan, the Merriweather-Symphony Woods Neighborhood Design Guidelines and FDP-DC-MSW-1A, a maximum 4 stories and a 60' building height are permitted (with the exceptions of the pavilion and stage house, which may be 85 feet). All structures meet this requirement.

- F. The development satisfies the Downtown Public Art Program approved with the Final Development Plan or Final Development Plan Amendment approval.**

SDP-16-018 is not subject to the 1% Public Art requirement per Section 125.0.A.9.f.2(e)(iii) of the Howard County Zoning Regulations, which exempts Downtown Arts, Cultural and Community Uses from the requirement. A Downtown Arts, Cultural and Community Use is defined as "Land areas, uses and facilities established for cultural, civic, recreation, educational, environmental, entertainment or community use or benefit, whether or not enclosed and whether publicly or privately owned or operated for profit...Eating, seating and gathering areas that are accessory to these uses are permitted." The improvements proposed within the site development plan meet these criteria.

- G. The Site Development Plan satisfies the affordable housing requirements in accordance with the Final Development Plan.**

The criterion is not applicable to this Site Development Plan since it is proposed as Downtown Arts and Entertainment Parkland and Downtown Parkland and no dwelling units are proposed.

- H. The development satisfies the Adequate Public Facilities Ordinance, if applicable.**

**SCHOOLS** - Since there are no dwelling units proposed, no housing unit allocations are required for this project.

**ROADS** - The Renovations to this site do not increase the capacity of the facility and therefore do not require traffic mitigation.

- I. The development indicates the manner in which any land intended for common or quasi-public use, but not proposed to be in public ownership, will be held, owned and maintained in perpetuity for the indicated purposes.**

Symphony Woods is owned by the Columbia Association. The Inner Arbor Trust, Inc. has an easement agreement with the Columbia Association, recorded in the Land Records as Liber 15703 Folio 229-280 for the development, operation and maintenance of the Symphony Woods property (Lot 23 and 9B). The Downtown Arts and Entertainment Park land (Lot 13) will be held, owned, and maintained by the property owner or pursuant to an operating agreement with the operator of the pavilion. The Downtown Arts and Entertainment Park land (Lot 13) is anticipated to be transferred to the Downtown Arts and Cultural Commission upon completion of the improvements required per CEPPAs #16, #20, and #21, and prior to the issuance for a building permit for the 5,000,000<sup>th</sup> S.F. of development, per CEPPA #24.

- J. The petition is accompanied by documentation demonstrating membership in the Downtown Columbia Partnership including the required annual charges.**



## **Architectural Elevation Exhibits**

### **Exhibit A**



### **Pavilion/Stage House**







**Back Stage Building**



**Outdoor Lounge Area (Back Stage)**



**Box Office**



**Concessions**





**Restrooms**